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DRAFT
OF
THE PROPOSED PETITION
OF
THE EAST-INDIA COMPANY
TO
THE HOUSE OF LORDS,
AGAINST BILL No. 3 FOR THE BETTER GOVERNMENT
OF INDIA.

LONDON:
PRINTED BY ORDER OF THE COURT OF PROPRIETORS OF THE EAST-INDIA COMPANY,
BY COX & WYMAN, 74-5, GREAT QUEEN STREET.

1858.

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**At a GENERAL COURT of the EAST-INDIA COMPANY held on
MONDAY, July 12th, 1858,—**

**ORDERED,—That the Draft of the Proposed Petition to the House of Lords,
this day read, be printed for the use of the Proprietors.**

THE PROPOSED PETITION OF THE EAST-INDIA COMPANY

*To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom
of Great Britain and Ireland in Parliament assembled,*

HUMBLY SHEWETH,

1. THAT at the commencement of the present Session of Parliament, your Petitioners did address your Right Honourable House, praying that you would not "give your sanction to any change in the constitution of the Indian Government, without full previous inquiry into the present system," an inquiry extending into "every branch of Indian Administration;" and that your Petitioners did at the same time "challenge the most searching investigation into the mutiny of the Bengal Army, and the causes, whether remote or immediate, which produced that mutiny."

2. That nevertheless, without any such inquiry or investigation whatsoever having taken place, a Bill has been introduced into your Right Honourable House, and read a first time, entirely abrogating that constitution of Government for India which has existed from the first; viz., the Government of this Company, at whose expense, and by whose exertions, British authority was originally established in India.

3. That your Petitioners cannot but regard such a measure as having, in public estimation, a penal character, and its adoption as calculated to lead to the general inference that they have abused their trust, and have been deservedly cashiered for misconduct. Your Petitioners submit to your Right Honourable House that they cannot, without dishonour, acquiesce in their own condemnation, without having obtained a trial, or so much as the production of a single charge against them. In 1853, it was decided by Parliament, after an inquiry the most minute and laborious, that the Government of India by your Petitioners should continue "until Parliament should otherwise provide;" it is now declared by the Preamble of the Bill before your Right Honourable House, to be "expedient" to make such other provision for the Government of India, without reason given, or cause assigned, or any inquiry whatsoever.

4. That, in the opinion of your Petitioners, the circumstances of the rebellion in India do make inquiry by Parliament necessary, and such inquiry ought to be into the conduct of individuals, as the chief means whereby misconduct, if proved, can in future be prevented. Your Petitioners submit to your Right Honourable House, that it is at least possible that one result of such an inquiry might be to implicate functionaries of the Indian Government who

are not servants of this Company, but whom it is now proposed to relieve from that practical although limited control to which they have hitherto been subjected by the existence of this Company. Your Petitioners submit to your Right Honourable House, that in passing the proposed measure, without full previous inquiry, you do incur the danger of increasing that power of the servants of the Crown, which, as exerted in the affairs of India, may have already been too great, and required to be diminished.

5. That your Petitioners cannot but consider the rejection of their prayer for inquiry, as not only an act of injustice towards themselves, but an act of injustice towards the people of India, and a most lamentable precedent for the future conduct of the Legislature under great national calamities. In their former Petition, your Petitioners did respectfully claim such an inquiry, "because when, for the first time in this century, the thoughts of every public man in the country were fixed on India, an inquiry would be more thorough, and its results would carry much more instruction to the mind of Parliament and the country than at any preceding period." Your Petitioners apprehend that the rejection of this their prayer is the neglect of a precious opportunity which may never recur. The Bill, now under consideration by your Right Honourable House, contrary to all former precedent, contains no mention whatever of the people of India.

6. That your Petitioners did represent to your Right Honourable House, in their former Petition, that "they could not well conceive a worse form of Government for India than a Minister with a Council, whom he should be at liberty to consult or not at his pleasure;" a principle which the proposed form of government adopts to a very serious extent, it being one of the main provisions of the Bill "for the better Government of India," that the President of the Council shall be at liberty to receive secret communications from India, and send out secret orders, whenever in his judgment such secrecy may be required, without submitting the same to the members of the Council. It is the belief of your Petitioners that inquiry by your Right Honourable House into the operation and results of the power of secret action, which has been exercised by the President of the Board of Control, since the institution of that Board, through the medium of the Secret Committee of the Directors of this Company, would make it impossible for your Right Honourable House to place in the hands of a Secretary of State still greater powers for mischief than heretofore, by passing an enactment the effect of which is nothing less than to give the sanction of Parliament to the dangerous practice of transacting the public business by means of private letters.

7. That the Capital Stock and debts of this Company amount in the aggregate to £113,000,000 sterling, a liability from which it is proposed by Parliament to relieve your Petitioners, and which Parliament does not propose to take upon itself, but, on the contrary, by the insertion of the word "alone" after "Indian revenues," in Clause 42 of the aforesaid Bill, to expressly disclaim. Your Petitioners beg respectfully to represent to your Right Honourable House that such an enactment cannot but tend to mislead the English people on a matter of the most vital importance, inasmuch as your Petitioners cannot see how the

national credit can be kept separate from the credit of the Indian Government, save by continuing this Company in its administrative functions.

8. That in the year 1773, when the chartered rights of your Petitioners were first invaded, and powers and patronage which they had hitherto exercised were otherwise vested, certain of the members of your Lordships' House did protest against the course that was at that time entered upon, predicting "that the boundless fund of corruption furnished by that Bill to the servants of the Crown, would efface every idea of honour, public spirit, and independence, from every rank of people;" consequences which, in the belief of your Petitioners, the proposed Bill (which is the sequel to that of 1773) renders more imminent than ever.

9. That, having regard to all these considerations, and seeing that that full inquiry which your Petitioners before prayed your Right Honourable House to institute has become impossible during the present Session of Parliament, your Petitioners do humbly pray your Right Honourable House not to suffer the Bill for the "better Government of India" now before you to become law; and your Petitioners do further pray your Right Honourable House to allow this Company to be heard by counsel against the said Bill, and in defence of the Company's rights and privileges.

And your Petitioners will ever pray.



